1; Schram M-6 (1911-1922) 1954 AE9 Monguor AE9

624 lamas, the "passing" of land to people who are not members of the clan, etc.

624 701 The number of men in the village liable to military service is checked, and the T'u-ssu carries out a military inspection. The troops turn out with their muskets and swords and horses. Tents, cooking kettles, pack animals and pack saddles, and sacks for carrying the flour ration are all inspected. The inspection concludes with a sham attack by the Monguor cavalry at full gallop, the soldiers firing their guns, drawing their swords, and howling and shouting.

624 692 The next important procedure is ratification by the T'u-ssu of all the settlements made by the village elders in patching up quarrels during the preceding three years. The custom is that when such a settlement is made, each person involved must pay the elders 2,000 copper coins, and these accumulated sums must be offered to the T'u-ssu. If there are legal suits, as distinguished from these settlements, the T'u-ssu presides over them on the fourth day. To deal with such suits, he is accompanied throughout his journey by the officials of his court of justice and by lictors carrying chains, handcuffs, and batons, and wearing their appropriate costumes.

624 693 681 The custom is that justice be rendered on the threshing floor of the village in the open air. The lord and his secretaries sit at tables. At the left stand two lictors dressed in red cotton and wearing high red harlequin hats, and with batons in their hands. At the right stand two lictors dressed in black. Chains, handcuffs, and batons are laid on the table, and plaintiffs and defendants kneel in front. The punishments inflicted include hanging by the wrists or thumbs, and flogging up to one hundred and even five hundred lashes. The offender is stripped and pegged out face downward, arms and legs spreadeagled. The lictors, armed with short whips or rods, strike the tender inner side of the thighs. Women are flogged on the bare back. The justice meted out is not always as brutal as it appears to be, because the retinue of the T'u-ssu is always venal. They depend on bribery for their income. Although most T'u-ssu do not approve of the corruption indulged in by many of their minor officials, they cannot always prevent it. Suits brought by the Monguors before the T'u-ssu are the delight of his retinue. It is often the crying injustices caused by the venality and peculation of the petty officials that cause Monguors to leave the clan territory and abandon their lord.

624 151 691 The expenses of legal suits, and of the sojourn of the T'u-ssu with his retinue for that day, are paid by the litigants, but all other expenses of the official three-day visit are defrayed by the people of the village. At the end of the visit, the elders and troops of the next village come to escort the T'u-ssu on the next stage of his tour.

624 It may be noted that this triennial tour of the T'u-ssu, accompanied by his court of justice, seems to suggest that it is the T'u-ssu as an individual and not his mansion

1; Schram M-5 (1911-1922) 1954 AE9 Monguor AE9

515 by Chinese officials, or on journeys to congratulate
574 Chinese officials on the major feast days of the year. The nobles as a group are also exempted from military
565 service, although the chiefs of the militia of the com-
701 moners, according to tradition, were always chosen from among the nobles in former times. In later times both
622 nobles and commoners have served as commanders and officers.[55]

It is said by the Monguors that in times past it was usually a noble who served as the chief of a village, but that because at present there are very few capable men among the nobles, these duties have devolved on commoners. Similarly, the nobles have lost the monopoly of serving as military officers.

AUTHORITY OF T'U-SSU OVER NOBLES

624 As might be expected the relations between a T'u-ssu
565 and his nobles are of a special kind. It has already been described how, on occasions of special ceremony, a T'u-ssu may actually be expected to prostrate himself before nobles who are members of a generation senior to his own, while they do not have to prostrate themselves to him, but merely clasp their hands and bow their heads. Moreover, while the T'u-ssu takes precedence when he is presiding as chief of the clan at the veneration of the ancestors, at clan meetings, during the triennial visitation, or when nobles or commoners are brought before him in a lawsuit, yet on such occasions as non-official dinners and the marriages of nobles, the T'u-ssu always requests a noble of a generation senior to his own to preside.

624 Difficulties among the nobles most commonly originate
565 either in quarrels over the division of a paternal inheritance or quarrels about the collection of taxes. In
692 order to prevent litigation, the clan elders try to arbitrate such quarrels. Only if they are unsuccessful is a lawsuit brought before the T'u-ssu. If the parties do not agree to the T'u-ssu's verdict, they are free to appeal to a Chinese court. In a case known to me, the eleventh House of the clan of Li T'u-ssu had trouble with its villages over the collection of taxes. Unwilling to abide by the verdict of the T'u-ssu, the members of the House went to the Chinese court. They were severely rebuked, the Chinese judge angrily threatening to abolish the outmoded custom under which the members of a whole clan live at the expense of the commoners.

681 Nobles are never flogged or beaten for transgression of the law, because the lictors are commoners and it is not fitting that commoners should beat nobles.

624 When the T'u-ssu visits his nobles in the course of
565 his triennial tour, they defray his expenses, including those of his retinue, just as do the commoners.

The old nomad custom was that when an individual

[55] Vladimirtsov, *op. cit.*, 233, notes that among the Mongols of the fourteenth to seventeenth centuries, with the decay of the feudal system, the duty of feudal service on the part of a noble to his lord had become more voluntary than obligatory.

1; Schram M-5 (1911-1922) 1954 AE9 Monguor AE9

576 624 "when their ministers of state had audience with the Khakhan, etiquette required them to remove the hat and enter with dishevelled hair, something akin to the Hsiungnu custom." [59]

FESTIVAL

527 Chinese merchants, who keep themselves informed of all festival dates among the Monguors, of course gather in great numbers and pitch their tents in the wide valley below the cemetery. The merchants pay taxes for permission to attend such gatherings.

On this occasion, a very large tent was pitched within which the T'u-ssu presided over the festivities, seated in the midst of the nobles, the elders, and all the prominent non-nobles of the clan, receiving the renewed professions of allegiance of his subjects. The chiefs and elders of each village, ceremonially dressed, came up one after another to do homage, bowing kneeling, and performing the *k'o-t'ou* or prostration, taking their time from the master of ceremonies who shouted his directions in a loud voice. The T'u-ssu, at the height of his glory, was happy to entertain each and every man for a few moments. Hundreds of Monguors crowded around, looking on and enjoying the ceremony.

Finally, dinner was eaten by the T'u-ssu and all the chiefs and prominent members of the clan, some seated inside the tent and an overflow outside seated on felt rugs at small tables. The customary whole sheep, the traditional dish of honor of all Inner Asian nomads, was presented to the T'u-ssu. Wine was drunk and tongues began to wag. A couple of girls with pleasing voices were invited to sing the customary songs, outside the tent and in the presence of the crowd. A number of men and women presented graceful dances, each dancing alone without a partner, to the music of a simple guitar-like instrument. Youngsters raced on unsaddled, spirited horses, passing before the tent to cross the finish line, and finally two wrestlers, a Monguor and a Tibetan lama from the monastery of Serkok, were admired and congratulated. A number of Monguors and Tibetans, befuddled with liquor, started fighting, and soldiers closed in on them to restore order. Before sunset most of the crowd had gone, leaving a few small groups still sitting on the ground, singing and making merry.

The Monguors told me that this glorious day seldom passed without a certain amount of disturbance and fighting; but the tradition is that no suits can be brought before the T'u-ssu or the village chiefs for heads smashed, bones broken, and clothes torn on this day of celebration.

ASSIZES OF THE CLAN

● 692 The next morning the assizes of the clan began inside the big tent, presided over by the T'u-ssu, with the chief

[59] E. H. Parker, *A thousand years of the Tartars*, 211, 2nd ed., London, Kegan, Paul, 1924. (It should be noted, however, that among the Mongols the custom is the opposite; it is an incivility to take off the hat in the presence of a superior.—O. L.)

1; Schram M-5 (1911-1922) 1954 AE9 Monguor AE9

692 nobles and non-nobles, chiefs of villages, and officials of the administration in attendance. A large number of Monguors sat around the tent, taking a keen interest in the proceedings. The matters discussed were for the most part of the same kind as those dealt with when the T'u-ssu makes his triennial tour of the villages: taxes and corvées were discussed and fixed, inquiries were made about the observance of traditions, the register of subjects was checked over, military matters were reviewed, and disputes between villages adjudicated. The T'u-ssu appointed or dismissed a number of chiefs, village elders, and military commanders. At these assizes suits may be brought for personal adjudication by the T'u-ssu, who metes out punishment according to custom.

The expenses of this annual assembly are shared by the subjects, while the offerings for the ancestors are paid for by the nobles—a division of expenses that again underlines the difference between the inner clan of common blood-descent and the extended clan of political subjects. Usually by the third day there are no more tents in the valley, the merchants have dispersed, and the T'u-ssu returns to his mansion. Such were the proceedings at the last glorious annual assembly of the clan of the Ch'i-T'u-ssu, which I had the good fortune to attend in 1913.

REMARKS

618 624 The description of the organization of the Monguor clans and their administration is based on the pattern of the large clans. It is easy to understand that the display of pomp at the diets is related to the importance of the clans, the number of their clan members, and their wealth, and also to the wealth and prestige of the T'u-ssu. Small clans finish the three acts of their diet in a single day, always keeping the difference and deference between nobles and commoners at the time of worshipping of the founding ancestor. In small clans however, constituted by only 150 families or so, both groups necessarily are not numerous and the diet is more like a family gathering and is more informal. Since the clan is small, all the circumstances of each family are known by the T'u-ssu and he himself tackles all the problems of the clan with the elders; the collection of land taxes by nobles is necessarily reduced to a minimum, but the nobles are always exempted from taxes and corvées. Corvées are necessarily reduced in the same way, since the mansion of the T'u-ssu is usually a small Chinese courtyard without temples and administrative buildings. Inevitably the distance which separates T'u-ssu from commoners is minimized, because the commoners may confer directly with the T'u-ssu. In the large clan it is not easy for the commoner to meet the T'u-ssu, for soldiers watch the entrance of his mansion, requests have to be written by the secretaries and forwarded by messengers to the lord, and it is uncertain if the lord will allow the Monguor commoner to see him or not. Because the distance

to make up his retinue, and it even happens that a 792
couple of men are asked for from former tributaries. 484
The subjects are thus liable to the corvées of the mon- 651
astery and at the same time to Chinese official corvées.

Administration of Justice

All the subjects of the monasteries are liable to the 792
Chinese courts of justice. It would seem logical to 691
have abolished all the old courts of justice existing at the monasteries, but all intendants still dispense justice to their subjects, expose at the gate of their intendancy the instruments of torture, and have their own jails. The intendants of Erh-ku-lung, Kumbum and Seerkok are even recognized officially by the Amban as ch'ien-hu, i.e., civil officials having the right to judge subjects.

In 1916 the minor Living Buddha of the monastery 792
of Dia-ik, fired by ambition and knowing my good rela- 692
tions with the Amban, importuned me for weeks to have me recommend him for the office of ch'ien-hu. He became ch'ien-hu not only of his subjects, but of the three former tributary Tibetan tribes depending on his previous incarnations. In 1917, with an air of exulting pride, he broke the news to me of having obtained in Peking the title of Hutukhtu. It is hard for a western mind to unravel these administrative mysteries.

The subjects enjoy the right of bringing suit at the 792
Chinese courts, but often they do not do so for fear of 692
retaliation by the intendancies, which they are unable 661
to match. However, since the Republic, more and more cases have been initiated by subjects who, victims of crying injustices, have plucked up their courage to challenge their intendants, because their minds were not insulated from the modern principles taught by teachers and officials. Nothwithstanding the change in the social psychology of the subjects, the intendants, the builders of big fortunes, continue to plant in the hearts of their subjects the seeds of aversion and hatred against themselves. Many of them collect the rent from their subjects with measures greater than the legal one, compelling them to fill them to the point where the grain spills on the ground, and not allowing them to collect the spilled surplus, which they appropriate. Being the most important businessmen in the country, they impose corvées on the subjects in order to carry on their own business, and when the patience of the subjects is worn thin, the clash comes, causing the ruin of the monastery. Such were the conditions prevailing between the subjects and the monasteries in 1910–1920. The monasteries had in the end succeeded in maintaining a firm grip on their subjects, notwithstanding the aim of the regulations, decreed after the revolt of 1723, to withdraw them from the baneful influence of the monasteries.

[p.48(B)]

4: Schram M-S (1911-1922) 1957 AE9 Monguor AE9

LAMASERIES AS ADMINISTRATIVE CENTERS OF THE COUNTRY AND CONDITIONS OF THE SUBJECTS BEFORE 1723

792 175

The study of the material aspects of the administration of the monasteries and the status of their subjects in 1910–1920, which are the consequences of the revolt of 1723, provides many facts pointing to the situation as it existed before 1723, and makes possible a reconstruction of the conditions in which the lamaseries flourished and their subjects lived before that fateful date.

At the time the Ming dynasty (1368–1644) had succeeded in driving the Mongols out of China, there existed in Huang-chung only the two cities of Hsining and Nien pei, and some fortified walled places which were garrisons established in former times to assure the occupation of the always disturbed country. The Ming started anew the colonization of the depopulated country by transplanting from central China 7,200 Chinese families (Part I: p. 30), accepting the submission of the Monguors, and assigning to each of their groups a definite territory, making them wardens of the country and their chiefs officials of the empire, with the prerogatives of the office of T'u-ssu (Part I: 46 sq.). The city of Hsining was more a military than a civil administrative center.

In order to repopulate the country, the Ming adopted the policy of attracting lamas and settling them in the region with the subjects they induced to submit to the empire. It granted them territories and made the lamas the hereditary chieftains of the groups they had brought in. They were responsible for the tribute to be offered to the emperor and had complete jurisdiction over their subjects. Hence the flourishing of lamaseries, Nang-suos, Karwas. The protection bestowed upon the lamas and the immunity granted to them by the emperor made the dissatisfied Chinese officials keep quiet and swallow their national pride.

[168 646]

Consequently, large territories were assigned to the Monguor clans and larger or smaller ones to the lamaseries, Nang-suos, and Karwas, whose inhabitants were completely withdrawn from the jurisdiction of the Chinese officials. Besides these autonomous groups there lived, scattered over the country, some small groups of petty-Tibetan tribes, remnants of tribes which had fled from Kukunor or Tibet, depending directly upon the Chinese administration. From among those groups, from among the Monguor clans, and from their own subjects, the lama institutions recruited and increased the number of their lamas.

The chiefs of the lama institutions accredited by the emperor lived in their seigniories like princes, surrounded by a large or small retinue, occupying a more or less elaborate residence built within a compound of temples, the quarters of the lamas, and large granaries. They appointed the staffs of lama officials for administering justice among the subjects (officially appointed

792 175 692 [643]

[p. 49(A)]

chiliarchs still exist in Kumbum, Erh-ku-lung and Seerkok), meting out punishments (instruments of torture are still displayed at lama courts), and imprisonment (the prison of Seerkok still exists); caring for the preservation of peace and order in the territories assigned to them, inquiring about travelers passing through it; administering the distribution of fields, the imposition and collection of taxes, the imposition of tolls on bridges (the bridge of T'ien t'ang and raft of Kan ch'an), and the imposition of corvées. 792 175 692

At the time of the inroads of marauding Mongol and Tibetan tribes, the revolts of Moslems, and the lama revolt against China in 1723, the subjects were compelled by the lamas to take sides with them in combat and in defending the lamaseries and their territories. In short, the privileges bestowed upon the chiefs of the lama institutions before 1723 were far-reaching. They were units, scattered over the country, administering their subjects according to their own rules and customs, entirely free from the interference of Chinese officials.

The lamaseries were the administrative centers of the groups subordinated to them. All the country's wealth flowed into their granaries and treasuries. Moreover, the lamas tended herds of cows, sheep, and horses, built oil and grain mills, and received donations. The lamaseries were the only places where huge sums of money could be borrowed (Li and Ch'i T'u-ssu borrowed money from them by mortgaging parts of their properties). They removed the wealth of the country from circulation and hoarded it or used it to found new lama communities (the tremendous branching out of monasteries between 1600 and 1723). They did not even use it for charitable institutions for the people of the country. 792 175 428 426

The lamaseries, originally built in lonely places and in remote valleys, in order that the monks would not be disturbed in their meditations and studies by the tumult of the world, were in olden times the most animated places of the country. In autumn the subjects carried taxes and rents on long caravans of donkeys to their granaries. The measuring of grain went on, as it did all over Asia, with rumbling noise and cries, bursting with activity for weeks in succession. At the time of exchanging tea for horses all the subjects were interested in the assessment of the horses. The tumult and discussions on the grounds of the monastery lasted for days and days. The selection of the horses for tribute to the emperor was conducted with like tumult and confusion, and often for the same length of time. Two or three times a year large festivals were held at the monasteries. They were attended by all the people of the country interested in horse racing, wrestling, singing, dancing, and in the big fairs held at that time. Chinese traders came from the city, pitched their tents, paid toll to the lamas, and sold their wares. The Monguors and Tibetans also arrived with their homespun 792 175 651 427 [534 443]

[p.49(B)]

4: Schram M-5 (1911-1922) 1957 AE9 Mongour AE9

case with the subjects of the T'u-ssu, and so no outstanding rich families could rise up among them. Since the entire administration was carried on exclusively by lamas, the subjects could hardly incur any important social prestige within their circle, or become leading personalities, and certainly not during the entire Ming period (1368–1644) when intermittent troubles and interruptions of trade curtailed the opportunity to become rich. Accordingly, the lamas effectively controlled the subjects and their domains.

As no written code of law existed, the lama officials helped themselves with a house law on a grand scale, by imposing taxes, corvées, and tribute, mediating troubles in families, meting out punishments and imprisonments for crying injustices. The subjects, pinning their hope on a better living, were submissive and obedient, simply because the chief lama was their lord.

It is easy to understand that the subjects of the monasteries enjoyed no rights of their own, but they depended entirely on the administration of the chief of the monastery and his lama officials.

It may be supposed, however, that capital punishment of the subjects of the monasteries was reserved to the emperor, as it was in the case of subjects of the T'u-ssu. It is not known whether, before 1723, the right of recourse of the subjects to a higher Chinese court existed or not. If it did exist, it must have been nominal, as it is at present.

The living conditions of the subjects, however, must have been for the most part bearable, as evidenced by the fact that so many people applied to the lamaseries to become subjects. Only after 1723 are a few cases known of subjects revolting against the chief lama and his officials, such as the case of Yang-kuo-erh-ssu, and that of the subjects of the Sina tribe, who preferred to become Chinese subjects rather than remain subjects of the lamas. On the other hand, the unbelievably large number of lamas from among the subjects, since every family had a son or an uncle lama, must have disposed the families favorably toward the monasteries and their chiefs, and made the subjects overlook the shortcomings and deficiencies inherent in any human institution.

The reasons why the privileged status of the monasteries lasted for so long in Huang-chung were, first, the insecurity of the country, especially after 1509, and then the influence of the Erh-ku-lung Hutukhtus in Peking.

The chiefs of the monasteries were, at the same time, the temporal and the spiritual chiefs of the subjects. The subjects were compelled to invite the lamas on whom they depended to recite texts in behalf of the families or of the communities, or to perform public or private ceremonies, to the exclusion of lamas of other communities, at such times as epidemics, epizootics, the burying of the dead. They had to make donations at fixed times, when their lamas, their chiefs, came touring for alms among them. Corvées were imposed at the time of celebrations and festivities at their lamaseries.

[p. 50 (B)]